

**FILED**7-26-16
08:00 AM

**AMENDED NOTICE OF INTENT TO CLAIM
INTERVENOR COMPENSATION
Regulatory Liaisons**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of California-American Water Company (U210W) for Authorization to Modify Conservation and Rationing Rules, Rate Design, and Other Related Issues for the Monterey District.	Application 15-07-019 (Filed July 14, 2015)
---	--

**AMENDED NOTICE OF INTENT TO CLAIM INTERVENOR
COMPENSATION**

**AND, IF REQUESTED (and [X]¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON REGULATORY LIAISONS, SHOWING OF SIGNIFICANT
FINANCIAL HARDSHIP**

NOTE: After electronically filing a PDF copy of this Notice of Intent (NOI), please email the document in an MS WORD format to the Intervenor Compensation Program Coordinator at Icompcoordinator@cpuc.ca.gov.

Customer: Regulatory Liaisons		
Assigned Commissioner: Catherine J K Sandoval		Administrative Law Judge: Gary Weatherford
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief.		
Signature:		/S/ Bob Burke
Date: 10/5/2015	Printed Name:	Bob Burke Regulatory Liaisons

PART I: PROCEDURAL ISSUES

(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some	<input type="checkbox"/>

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

<p>other customers.</p> <p>In addition to describing your own interest in the proceeding you must show how your participation goes beyond just your own self-interest and will benefit other customers.</p>	
<p>2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p> <p>A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <i>See</i> D.98-04-059 at 30.</p>	<input type="checkbox"/>
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation.² Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See</i> D.98-04-059, footnote at 3.</p>	<input checked="" type="checkbox"/>
<p>Regulatory Liaisons is a "group or organization authorized pursuant to its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation." Our articles of incorporation and bylaws are attached. 100% of the customers represented by Regulatory Liaisons are residential customers who are served by Cal-Am. This figure was 50% on October 6, 2015 when we filed the original NOI. We formerly represented Stone Creek Village, which consists of four separately owned buildings on 4 adjacent lots. Each lot and building is owned by a different set of investors and is a separate small business. All of the properties are small commercial customers as defined by Cal. Pub. Util. Code §1802(h) which defines a "small commercial customer" as "any nonresidential customer with a maximum peak demand of less than 50 kilowatts." The customers of the 4 groups of Stone Creek Owners are the occupants of the commercial building space and have their own electric service.</p>	
<p>Identify all attached documents in Part IV.</p>	
<p>Do you have any direct economic interest in outcomes of the proceeding?³</p>	

² Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

³ See Rule 17.1(e).

Yes: ☒ No: ☐

Regulatory Liaisons would receive Intervenor Compensation should The Commission choose.

B. Conflict of Interest (§ 1802.3)	Check
1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an electrical corporation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):	Check
1. Is the party’s NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: 9/8/2015 This is an amended NOI that it amends the NOI dated 10/5/2015 originally filed & served on 10/6/2015 and is amended by permission of the ALJs dated 1/22/2016.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Is the party’s NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2a. The party’s description of the reasons for filing its NOI at this other time:	
2b. The party’s information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge’s ruling, or other document authorizing the filing of NOI at that other time:	

PART II: SCOPE OF ANTICIPATED PARTICIPATION
(To be completed by the party (“customer”) intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):
Scope of Participation: We will perform a forensic dissection of Cal-Am’s Application, Monterey District P+L / RoR and responses to our data requests, then present recommendations and analysis to CPUC for use in its Decision in these areas:
1. Cal-Am’s request for \$40M +/- in under-collections by adding the amount to its rate base and collecting the under-collections + an authorized RoR over a multi-year period based on:
- actual revenue received,
- fixed and variable expenses incurred as authorized by CPUC,
- authorized RoR in % and dollars
- rate of return it actually achieved in the years covered
- the dollars required to restore it to its authorized RoR for each year
- the impact to ratepayers for various collection periods including from Cal-Am’s Application

- the dollars required to restore Cal-Am to its authorized RoR if under-collections continue to be considered to be debt financed at commercial paper interest rates vs. at authorized RoR

2. A set of per capita or per corporation (or business or public agency) or per customer class calculations showing which, if any, persons or corporations (or business or public agency) or customer classes are advantaged or disadvantaged by Cal Am's Rate Design and Rates as proposed in the Application. Of particular interest are Cal Am's proposal to remove per capita residential allocations and to continue without a conservation rate design for businesses.

3. The actually achieved price elasticity and ensuing water consumption resulting from Cal-Am's past several years of Rate Designs and Rates

4 – The use of Technology including electronic mass media communications to impact water demand and stimulate conservation via high efficiency toilet / fixture conversions and turf removal within Monterey's businesses with emphasis on the hospitality business segment. SWCB figures show these to have very high impact in stimulating conservation

Avoiding duplication of effort with other parties: Collaboration and partitioning: We have contacted these Parties: Water Plus, Public Water Now, ORA, The Coalition of Peninsula Businesses. We have identified how to achieve a high level of non-duplication between ourselves and The Public Trust Alliance as a result and have coordinated our NOI preparation. We have traded topics with Public Water Now, and eliminated duplication. We achieve non-duplication by representing the interests of residential customers who are members of Public Water Now and Water Plus and authoring joint submissions to the Proceeding, reducing the effort needed to develop and author them.. We achieve non-duplication of effort with the Public Trust Alliance by authoring joint submissions to the Proceeding, reducing the effort needed to develop and author them.

The party's description of the nature and extent of the party's planned participation: Develop facts for these areas as defined in the Phase II Scoping Memo:

- Statistically report on the temporal efficacy of actual Conservation Rate Designs that are being proposed by Cal-Am vs. its predecessor Rate Designs
- Statistically model or illustrate the temporal conservation efficacy of mass media outreach to the Public and mass media attention to conservation to achieve the conservation results sought by Conservation Rate Designs and High Efficiency Fixtures especially in the hospitality industry
- Model water usage of customers and present sensitivity analyses for use in evaluating revised conservation rate design by accounting for household, employee and visitor size (number living in the residence) to and other specific factors to be identified in the study.
- Develop analysis / verification of Cal-AM's requested WRAM/MCBA claims and make recommendations based on the numerical computations.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):

Item	Hours	Rate \$	Total \$	#
------	-------	---------	----------	---

ATTORNEY, EXPERT, AND ADVOCATE FEES				
Lloyd Lowrey, Attorney (legal basis for amount of WRAM.MCBA recovery, brief authoring, legal advice)	30	\$315	\$9,450	
Bob Burke, Advocate-Expert (discovery, forensic analysis of Cal-Am financial data, rate design & rate analysis, price elasticity study, author testimony etc., case management, hearing participation, communications w/ other parties, data modeling and statistical analysis)	360	\$210	\$75,600	
John Cox, Advocate (communications w/ others to request & receive data for analyses & authoring submissions, data modeling and analysis)	45	\$90	\$4,050	
Subtotal: \$80,700				
OTHER FEES				
[Person 1]				
[Person 2]				
Subtotal: \$				
COSTS				
Copies & Electronic Media	\$500			
Hearing & Workshop expenses	\$200			
Subtotal: \$700				
TOTAL ESTIMATE: \$89,800				
Estimated Budget by Issues: – Residential Rate Design & Rates: Tiered block rates, price elasticity, alternative block & continuous rates, alternative service charges, glide path, conservation rates & resulting conservation, fixed vs. variable rate total revenue alternatives & results and documentation - \$31,000 - Conservation Rate Design & Rates for non-residential customers - \$5,000 - Forensic dissection of \$40M WRAM/MCBA to verify and compute dollars needed to restore Cal-Am to authorized RoR for years covered - \$38,000 - Settlement negotiations and documentation – \$6,000 - General Case Management - \$9,800				

When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP
(To be completed by party (“customer”) intending to claim intervenor compensation; see Instructions for options for providing this information)

A. The party claims “significant financial hardship” for its Intervenor Compensation Claim in this proceeding on the following basis:	Applies (check)
1. “[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation” (§ 1802(g)); or	<input checked="" type="checkbox"/>
2. “[I]n the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)).	<input checked="" type="checkbox"/>
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).	<input type="checkbox"/>

B. The party’s explanation of the factual basis for its claim of “significant financial hardship” (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI:
Regulatory Liaisons is a 501c non-profit organized to protect the interests of residential utility customers and small commercial utility customers receiving bundled electric service as stated in its bylaws.

PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE
(The party (“customer”) intending to claim intervenor compensation identifies and attaches documents; add rows as necessary)

Attachment No.	Description
1	Certificate of Service
2	Regulatory Liaisons Articles of Incorporation
3	Regulatory Liaisons Bylaws & Certification by Secretary
4	Minutes & Resolution of Board’s adoption of the Sept 21, 2015 Bylaws, Minutes & Resolution of Board’s adoption of the Sept 22, 2015 Article 15 of the Bylaws & Minutes & Resolution of Board’s adoption of the January 27, 2016

	clarifying amendment of Article 15 of the Bylaws
5	Regulatory Liaisons description and timeline of persons & parties it represented and represents

ADMINISTRATIVE LAW JUDGE RULING⁴

(Administrative Law Judge completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	<input type="checkbox"/>
a. The NOI has not demonstrated the party's status as a "customer" for the following reason(s):	<input type="checkbox"/>
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>
4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

IT IS RULED that:

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer has shown significant financial hardship.	<input type="checkbox"/>
4. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	<input type="checkbox"/>
5. Additional guidance is provided to the customer as set forth above.	<input type="checkbox"/>

⁴ A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer's Intervenor Compensation Claim); or (c) the NOI has included a claim of "significant financial hardship" that requires a finding under § 1802(g).

Revised September 2014

Dated _____, at San Francisco, California.

Administrative Law Judge